

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RICHARD APOLLO LACY,

ID # 602524,

Petitioner,

vs.

WARDEN MACKEY,

Respondent.

)
)
)
)
)
)

No. 3:17-CV-2332-D


ORDER

After reviewing all relevant matters of record in this case, including the findings, conclusions, and recommendation of the United States Magistrate Judge and the objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the court is of the opinion that the findings and conclusions of the magistrate judge are correct, and they are adopted as the findings and conclusions of the court.

For the reasons stated in the findings, conclusions, and recommendation of the United States Magistrate Judge, the petition for habeas corpus is successive and is transferred to the United States Court of Appeals for the Fifth Circuit pursuant to *Henderson v. Haro*, 282 F.3d 862, 864 (5th Cir. 2002), and *In re Epps*, 127 F.3d 364, 365 (5th Cir. 1997), by separate judgment.

SO ORDERED.

November 27, 2017.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE